

United States District Court

Eastern District of Missouri
111 South 10th Street
St. Louis, Missouri 63102

James G. Woodward
Clerk of Court

314-244-7800

February 19, 2008

Mr. Michael Dobbins, Clerk
Northern District of Illinois
United States Courthouse
219 South Dearborn Street
Chicago, IL 60604

FILED

FEB 25 2008

**MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT**

RE: Saleeby v. Chicago Mercantile Exchange, Inc. et al
Case # 4:07CV1823

Dear Mr. Michael Dobbins:

Enclosed is a certified copy of the order dated 2/19/08 by the Honorable Rodney W. Sippel, transferring the above styled case to the U.S. District Court for the Northern District of Illinois.

It is our understanding that your court is also utilizing Electronic Case Filing, therefore, we are including a login and password so you may access documents

Login: _____

Password: _____

This login and password should not be shared with anyone other than federal court personnel who would have a need to access our electronic case file system. You will need Adobe Acrobat reader loaded on your computer in order to view the documents.

In order to assist you in accessing our electronic file go to <https://ecf.moed.circ8.dcn> or for help call the help line at 866-883-7749 (toll free) or 314-244-7650. If you need further assistance, you may call the St. Louis Office at (314) 244-7800.

Please return the enclosed copy of this letter as acknowledgment of the receipt of above. Please indicate the new case number assigned to this case in 4:07CV1823 RWS.

Sincerely,
JAMES G. WOODWARD, CLERK

By: /s/ Kelley Foresyth
Kelley Foresyth
Deputy Clerk

Enclosure(s)

Received By: DS

Date: 02-25-08

New Case#:

**08CV1130
JUDGE LEINENWEBER
MAG. JUDGE KEYS**

**U.S. District Court
Eastern District of Missouri (LIVE) (St. Louis)
CIVIL DOCKET FOR CASE #: 4:07-cv-01823-RWS
Internal Use Only**

TRANSF
FILED
FEB 25 2008
MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT

Saleeby v. Chicago Mercantile Exchange, Inc. et al
Assigned to: Honorable Rodney W. Sippel
Case in other court: St. Louis County Circuit Court, 07CC-
003800
Cause: 28:1446 Petition for Removal

Date Filed: 10/24/2007
Date Terminated: 02/19/2008
Jury Demand: None
Nature of Suit: 190 Contract: Other
Jurisdiction: Diversity

Plaintiff

John M. Saleeby

represented by **David B. Cosgrove**
CAPES AND SOKOL
7701 Forsyth Boulevard
12th Floor
St. Louis, MO 63105
314-721-7701
Fax: 314-721-0554
Email: cosgr@hotmail.com
TERMINATED: 01/14/2008
LEAD ATTORNEY

**08CV1130
JUDGE LEINENWEBER
MAG. JUDGE KEYS**

Gerald M. Dunne
DUNNE AND KOEING, LLC
21 N. Meramec
2nd Floor
Clayton, MO 63105
314-421-1300
Fax: 314-862-5542
Email: gerald@dkglegal.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant

Chicago Mercantile Exchange, Inc.

represented by **Christina M. Tchen**
SKADDEN AND ARPS
333 West Wacker Drive
Suite 2100
Chicago, IL 60606
312-407-0518
Fax: 312-407-0411

AMER. G. WOODWARD, CLERK
TRUE COPY OF THE ORIGINAL
UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
BY: *Kelley Donahue*
DEPUTY CLERK

Email: ttchen@skadden.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Jerrold E. Salzman
SKADDEN, ARPS, SLATE,
MEAGHER & FLOM LLP
333 West Wacker Drive
Suite 2100
Chicago, IL 60606
312-407-0718
Fax: 312-407-0411
LEAD ATTORNEY

Torey Brooks Chambers
SKADDEN AND ARPS
333 West Wacker Drive
Suite 2100
Chicago, IL 60606
312-407-0040
Fax: 312-407-0411
Email: torey.chambers@skadden.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

William R. Bay
THOMPSON COBURN
One US Bank Plaza
Suite 26
St. Louis, MO 63101
314-552-6008
Fax: 314-552-7008
Email: wbay@thompsoncoburn.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

**Chicago Mercantile Exchange
Holdings, Inc.**

represented by **Christina M. Tchen**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Jerrold E. Salzman
(See above for address)
LEAD ATTORNEY

Torey Brooks Chambers
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

William R. Bay
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Computershare Investor Services, LLC

represented by **Christina M. Tchen**
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Jerrold E. Salzman
 (See above for address)
LEAD ATTORNEY

Torey Brooks Chambers
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

William R. Bay
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Mellon Investor Services, LLC

represented by **Christina M. Tchen**
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Jerrold E. Salzman
 (See above for address)
LEAD ATTORNEY

Torey Brooks Chambers
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

William R. Bay
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
10/24/2007	● 1	NOTICE OF REMOVAL from St. Louis County Circuit Court, case

		number 07CC-003800. Filing fee \$350.00. Non-Jury Demand filed by Mellon Investor Services, LLC, Chicago Mercantile Exchange, Inc., Chicago Mercantile Exchange Holdings, Inc. and Computershare Investor Services, LLC. (Attachments: #(1) Exhibit A #(2) Exhibit B #(3) Exhibit C #(4) Exhibit D #(5) Original Filing Form #(6) Civil Cover Sheet)(KLK) (Entered: 10/25/2007)
10/24/2007	●2	DISCLOSURE OF CORPORATION INTERESTS CERTIFICATE by Defendants Mellon Investor Services, LLC, Chicago Mercantile Exchange, Inc., Chicago Mercantile Exchange Holdings, Inc. and Computershare Investor Services, LLC. (KLK) (Entered: 10/25/2007)
10/24/2007	●3	NOTICE OF FILING NOTICE OF REMOVAL filed by Defendants Mellon Investor Services, LLC, Chicago Mercantile Exchange, Inc., Chicago Mercantile Exchange Holdings, Inc. and Computershare Investor Services, LLC. Sent To: Circuit Court Clerk, unexecuted. (KLK) (Entered: 10/25/2007)
10/24/2007	●4	NOTICE OF FILING NOTICE OF REMOVAL filed by Defendants Mellon Investor Services, LLC, Chicago Mercantile Exchange, Inc., Chicago Mercantile Exchange Holdings, Inc. and Computershare Investor Services, LLC. Sent To: Plaintiff's Attorney. (KLK) (Entered: 10/25/2007)
10/25/2007	●	Receipt # S2008-001017 in the amount of \$350.00 for CIVIL FILING FEE, CIVIL FILING FEE-PART 2, CIVIL FILING FEE-PART 3 on behalf of THOMPSON COBURN. (CSW,) (Entered: 10/25/2007)
10/26/2007	●5	NOTICE OF FILING NOTICE OF REMOVAL filed by Defendants Mellon Investor Services, LLC, Chicago Mercantile Exchange, Inc., Chicago Mercantile Exchange Holdings, Inc., Computershare Investor Services, LLC Sent To: Circuit Court Clerk Executed by State Court Clerk (Bay, William) (Entered: 10/26/2007)
10/26/2007	●6	DISCLOSURE OF CORPORATION INTERESTS CERTIFICATE by Defendants Chicago Mercantile Exchange, Inc., Chicago Mercantile Exchange Holdings, Inc. Parent companies: CME Group Inc.(f/k/a Chicago Mercantile Exchange Holdings Inc.), Subsidiaries: None, Publicly held company: None., (Bay, William) (Entered: 10/26/2007)
10/26/2007	●7	DISCLOSURE OF CORPORATION INTERESTS CERTIFICATE by Defendant Mellon Investor Services, LLC Parent companies: Mellon Investor Services Holdings LLC, whose parent is The Bank of New York Mellon Corporation, Subsidiaries: None, Publicly held company: None., (Bay, William) (Entered: 10/26/2007)
10/26/2007	●8	MOTION for Extension of Time to File Answer <i>Or Otherwise Plead</i> by Defendants Mellon Investor Services, LLC, Chicago Mercantile Exchange, Inc., Chicago Mercantile Exchange Holdings, Inc., Computershare Investor Services, LLC. (Bay, William) (Entered: 10/26/2007)
10/29/2007	●9	MOTION for Leave to Appear Pro Hac Vice Torey Brooks Chambers

		(Filing fee \$100) by Defendants Mellon Investor Services, LLC, Chicago Mercantile Exchange, Inc., Chicago Mercantile Exchange Holdings, Inc., Computershare Investor Services, LLC. (KJF,) (Entered: 10/29/2007)
10/29/2007	●10	MOTION for Leave to Appear Pro Hac Vice Christina M. Tchen (Filing fee \$100) by Defendants Mellon Investor Services, LLC, Chicago Mercantile Exchange, Inc., Chicago Mercantile Exchange Holdings, Inc., Computershare Investor Services, LLC. (KJF,) (Entered: 10/29/2007)
10/29/2007	●11	Consent MOTION for Extension of Time to File Answer <i>Or Otherwise Plead</i> by Defendants Mellon Investor Services, LLC, Chicago Mercantile Exchange, Inc., Chicago Mercantile Exchange Holdings, Inc., Computershare Investor Services, LLC. (Bay, William) (Entered: 10/29/2007)
10/29/2007	●	Receipt # S2008-001065 in the amount of \$100.00 for ATTORNEY ADM. FEE - PHV on behalf of CHAMBERS, TOREY BROOKS. (CSW,) (Entered: 10/29/2007)
10/29/2007	●	Receipt # S2008-001066 in the amount of \$100.00 for ATTORNEY ADM. FEE - PHV on behalf of TCHEN, CHRISTINA. (CSW,) (Entered: 10/29/2007)
10/30/2007	●	Docket Text ORDER: Re: 11 Consent MOTION for Extension of Time to File Answer <i>Or Otherwise Plead</i> by Defendants Mellon Investor Services, LLC, Chicago Mercantile Exchange, Inc., Chicago Mercantile Exchange Holdings, Inc., Computershare Investor Services, LLC. (Bay, William) filed by Chicago Mercantile Exchange, Inc., Chicago Mercantile Exchange Holdings, Inc., Computershare Investor Services, LLC,, Mellon Investor Services, LLC, ; ORDERED GRANTED. Signed by Judge Rodney W. Sippel on 10/30/07. (LGK,) (Entered: 10/30/2007)
10/30/2007	●	Docket Text ORDER: Re: 8 MOTION for Extension of Time to File Answer <i>Or Otherwise Plead</i> by Defendants Mellon Investor Services, LLC, Chicago Mercantile Exchange, Inc., Chicago Mercantile Exchange Holdings, Inc., Computershare Investor Services, LLC. (Bay, William) filed by Chicago Mercantile Exchange, Inc., Chicago Mercantile Exchange Holdings, Inc., Computershare Investor Services, LLC,, Mellon Investor Services, LLC, ; ORDERED GRANTED. Signed by Judge Rodney W. Sippel on 10/30/07. (LGK,) (Entered: 10/30/2007)
10/30/2007		(Court only) ***Attorney Torey Brooks Chambers for Mellon Investor Services, LLC and Chicago Mercantile Exchange, Inc. added. (LGK,) (Entered: 10/30/2007)
10/30/2007		(Court only) ***Attorney Christina M. Tchen for Mellon Investor Services, LLC and Chicago Mercantile Exchange, Inc. added. (LGK,) (Entered: 10/30/2007)
10/30/2007	●	Docket Text ORDER: Re: 9 MOTION for Leave to Appear Pro Hac Vice Torey Brooks Chambers (Filing fee \$100) by Defendants Mellon Investor Services, LLC, Chicago Mercantile Exchange, Inc., Chicago Mercantile Exchange Holdings, Inc., Computershare Investor Services,

		LLC. (KJF,) filed by Chicago Mercantile Exchange, Inc., Chicago Mercantile Exchange Holdings, Inc., Computershare Investor Services, LLC., Mellon Investor Services, LLC, ; ORDERED GRANTED. Signed by Judge Rodney W. Sippel on 10/30/07. (LGK,) (Entered: 10/30/2007)
10/30/2007	●	Docket Text ORDER: Re: 10 MOTION for Leave to Appear Pro Hac Vice Christina M. Tchen (Filing fee \$100) by Defendants Mellon Investor Services, LLC, Chicago Mercantile Exchange, Inc., Chicago Mercantile Exchange Holdings, Inc., Computershare Investor Services, LLC. (KJF,) filed by Chicago Mercantile Exchange, Inc., Chicago Mercantile Exchange Holdings, Inc., Computershare Investor Services, LLC., Mellon Investor Services, LLC, ; ORDERED GRANTED. Signed by Judge Rodney W. Sippel on 10/30/07. (LGK,) (Entered: 10/30/2007)
11/12/2007	● <u>12</u>	MOTION to Withdraw as Attorney ;attorney/firm Capes, Sokol, Goodman & Sarachan, P.C. by Plaintiff John M. Saleeby. (Sarachan, Gary) (Entered: 11/12/2007)
11/13/2007	● <u>13</u>	ORDER: <u>12</u> IT IS HEREBY ORDERED that the motion to withdraw <u>12</u> filed bycounsel for the plaintiff is set for hearing on Tuesday, November 27, 2007 at12:30 p.m. in Courtroom 10-South. All counsel are to appear at this hearing. Signed by Judge Rodney W. Sippel on 11/13/07. (cc: Gary S. Sarachan) (ARL) (Entered: 11/13/2007)
11/13/2007	●	ORDER RECEIPT: (see receipt) Tue Nov 13 13:04:39 CST 2007 (ARL,) (Entered: 11/13/2007)
11/15/2007	● <u>14</u>	Joint MOTION for Extension of: Time to Plead by Defendants Mellon Investor Services, LLC, Chicago Mercantile Exchange, Inc., Chicago Mercantile Exchange Holdings, Inc., Computershare Investor Services, LLC, Plaintiff John M. Saleeby. (Bay, William) (Entered: 11/15/2007)
11/15/2007	●	Receipt # S2008-001594 in the amount of \$100.00 for ATTORNEY ADM. FEE - PHV on behalf of SALZMAN, JERROLD E.. (CSW,) (Entered: 11/15/2007)
11/15/2007	● <u>15</u>	MOTION for Leave to Appear Pro Hac Vice Jerrold E. Salzman (Filing fee \$100) by Defendants Mellon Investor Services, LLC, Chicago Mercantile Exchange, Inc., Chicago Mercantile Exchange Holdings, Inc., Computershare Investor Services, LLC. (LGK) (Entered: 11/19/2007)
11/19/2007	●	Docket Text ORDER: Re: <u>14</u> Joint MOTION for Extension of: Time to Plead by Defendants Mellon Investor Services, LLC, Chicago Mercantile Exchange, Inc., Chicago Mercantile Exchange Holdings, Inc., Computershare Investor Services, LLC, Plaintiff John M. Saleeby. (Bay, William) filed by Chicago Mercantile Exchange Holdings, Inc., Chicago Mercantile Exchange, Inc., Mellon Investor Services, LLC, John M. Saleeby, Computershare Investor Services, LLC GRANTEDSigned by Honorable Rodney W. Sippel on 11/19/07. (LAH) (Entered: 11/19/2007)
11/20/2007	●	Docket Text ORDER: Re: <u>15</u> MOTION for Leave to Appear Pro Hac Vice Jerrold E. Salzman (Filing fee \$100) by Defendants Mellon Investor Services, LLC, Chicago Mercantile Exchange, Inc., Chicago Mercantile

		Exchange Holdings, Inc., Computershare Investor Services, LLC. (LGK) filed by Chicago Mercantile Exchange Holdings, Inc., Chicago Mercantile Exchange, Inc., Mellon Investor Services, LLC, Computershare Investor Services, LLC - GRANTED Signed by Honorable Rodney W. Sippel on 11/20/07. (LAH,) (Entered: 11/20/2007)
11/26/2007	●16	SCHEDULING ORDER: Motion Hearing on pltf's motion to withdraw [#12] is reset for 11/27/2007 01:30 PM before Honorable Rodney W. Sippel.. Signed by Honorable Rodney W. Sippel on 11/26/07. (LGK) (Entered: 11/26/2007)
11/26/2007	●	ORDER RECEIPT: (see receipt) Mon Nov 26 10:53:01 CST 2007 (Kresko, Lisa) (Entered: 11/26/2007)
11/27/2007	●17	ORDER - IT IS HEREBY ORDERED that all proceedings in this case are STAYED until January 14, 2008. IT IS FURTHER ORDERED that a hearing on Capes Sokol Goodman & Sarachan P.C.'s Motion to Withdraw <u>12</u> shall be held January 14, 2008 at 10:00 a.m. in Courtroom 10-South. IT IS FURTHER ORDERED that all deadlines, including but not limited to deadlines to file motions for remand and motions to dismiss, shall be EXTENDED until such dates as are set at the January 14, 2008 hearing. Case stayed. Signed by Honorable Rodney W. Sippel on 11/27/07. (KJF,) (Entered: 11/27/2007)
11/27/2007	●	ORDER RECEIPT: (see receipt) Tue Nov 27 16:12:34 CST 2007 (KJF,) (Entered: 11/27/2007)
11/27/2007	●18	Minute Entry for proceedings held before Honorable Rodney W. Sippel: Motion Hearing held on 11/27/2007 re <u>12</u> MOTION to Withdraw as Attorney ;attorney/firm Capes, Sokol, Goodman & Sarachan, P.C. filed by John M. Saleeby. Hearing continued to 1/14/08 at 10:00 a.m. (Court Reporter or FTR Gold Operator initials:Shannon White.) (FTR Gold yes or no: no.) (LGK) (Entered: 11/28/2007)
01/14/2008	●19	ENTRY of Appearance by Gerald M. Dunne for Plaintiff John M. Saleeby. (Dunne, Gerald) (Entered: 01/14/2008)
01/14/2008	●20	Minute Entry for proceedings held before Honorable Rodney W. Sippel: Motion Hearing held on 1/14/2008 re <u>12</u> MOTION to Withdraw as Attorney ;attorney/firm Capes, Sokol, Goodman & Sarachan, P.C. filed by John M. Saleeby. ORDERED GRANTED by the Honorable Rodney W. Sippel. CMO to follow.(Court Reporter: Shannon White.) (ARL) (Entered: 01/14/2008)
01/14/2008	●	(Court only) *** Attorney David B. Cosgrove terminated. (ARL) (Entered: 01/14/2008)
01/14/2008	●	(Court only) LIFTING STAY (ARL) (Entered: 01/14/2008)
01/14/2008	●21	ORDER - IT IS HEREBY ORDERED that parties shall file an amended Joint Scheduling Plan, in writing, no later than January 30, 2008. IT IS FURTHER ORDERED that an amended Rule 16 conference shall be

		held on February 6, 2008 at 12:30 p.m. in Chambers. Signed by Honorable Rodney W. Sippel on 1/14/08. (KJF,) (Entered: 01/14/2008)
01/14/2008	●	(Court only) ***Motions terminated: <u>12</u> MOTION to Withdraw as Attorney ;attorney/firm Capes, Sokol, Goodman & Sarachan, P.C. filed by John M. Saleeby. (ARL) (Entered: 02/07/2008)
01/30/2008	● <u>22</u>	JOINT SCHEDULING PLAN by Defendants Mellon Investor Services, LLC, Chicago Mercantile Exchange, Inc., Chicago Mercantile Exchange Holdings, Inc., Computershare Investor Services, LLC, Plaintiff John M. Saleeby.. (Chambers, Torey) (Entered: 01/30/2008)
02/01/2008	● <u>23</u>	ORDER - IT IS HEREBY ORDERED that the conference pursuant to Rule 16, Fed.R.Civ.P., is RESET to Wednesday, February 6, 2008 at 10:00 a.m. Signed by Honorable Rodney W. Sippel on 2/1/08: (LAH,) (Entered: 02/01/2008)
02/15/2008	● <u>24</u>	STIPULATION <i>To Transfer Case to the United States District Court for the Northern District of Illinois Pursuant to 28 U.S.C. Section 1404(a)</i> by Defendants Mellon Investor Services, LLC, Chicago Mercantile Exchange, Inc., Chicago Mercantile Exchange Holdings, Inc., Computershare Investor Services, LLC, Plaintiff John M. Saleeby. (Chambers, Torey) (Entered: 02/15/2008)
02/19/2008	● <u>25</u>	ORDER OF TRANSFER TO OTHER DISTRICT to: US District Court for the Northern District of Illinois. Signed by Honorable Rodney W. Sippel on 2/19/08. (KJF,) (Entered: 02/19/2008)
02/19/2008	●	***REMARK - Certified copy of the transfer order and docket sheet, along with a letter to the Clerk of the Court mailed this day to the Northern District of Illinois. (KJF,) (Entered: 02/19/2008)

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

FILED

FEB 25 2008

MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT

JOHN M. SALEEBY,

Plaintiff,

v.

Civil Action No: 4:07-cv-1823

Judge Rodney W. Sippel

CHICAGO MERCANTILE EXCHANGE INC.,
CHICAGO MERCANTILE EXCHANGE
HOLDINGS INC., COMPUTERSHARE
INVESTOR SERVICES LLC, and MELLON
INVESTOR SERVICES LLC,

Defendants.

08CV1130
JUDGE LEINENWEBER
MAG. JUDGE KEYS

ORDER

This cause coming before the Court on the Stipulation to Transfer, and the Court being fully advised in the premises, IT IS HEREBY ORDERED that:

(1) The case is transferred to the United States District Court for the Northern District of Illinois pursuant to 28 U.S.C. § 1404(a).

(2) The Plaintiff shall, no later than 60 days following the receipt of the case by the United States District Court for the Northern District of Illinois, file an Amended Complaint to add a new party defendant (the "Amended Complaint"), which Amended Complaint shall supersede all previous complaints filed in this action.

(3) Defendants shall, no later than 30 days following service of the Amended Complaint, answer, move, or otherwise respond to the Amended Complaint. Defendants shall have no obligation to answer or otherwise respond to the initial complaint filed in the action.

(4) The Plaintiff shall, no later than 30 days after service of any motions to dismiss, serve and file its response or opposition.

FAMES GAWKOWARD, CLERK
A TRUE COPY OF THE ORIGINAL
UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
BY *[Signature]*
DEPUTY CLERK

Case 4:07-cv-01823-RWS Document 25 Filed 02/19/2008 Page 2 of 2

Case 4:07-cv-01823-RWS Document 24 Filed 02/15/2008 Page 4 of 4

(5) Defendants shall, no later than 15 days following service of the opposition to any motions to dismiss, serve and file any reply briefs.

Dated: 19th day of February, 2008.

ENTERED: 

Honorable Rodney W. Sipes